

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GIZACHEW WONDIE,

Defendant.

CASE NO. CR18-315-RAJ

ORDER VACATING TRIAL DATE  
AND SETTING STATUS  
CONFERENCE

THIS COURT having considered the Motion of the United States for a continuance of the trial date and the facts set forth therein, and General Order 07-20 of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, which is incorporated herein by reference, hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of this disease as well as the lack of the type of personal protective equipment necessary to ensure the health and safety of all participants it is not possible at this time to proceed with a jury trial.

1 2. Further, because of the recommendations that individuals at higher risk of  
2 contracting this disease –including individuals with underlying health conditions,  
3 individuals age 60 and older, and individuals who are pregnant – avoid large groups  
4 of people, at this time, it would be difficult, if not impossible, to get a jury pool that  
5 would represent a fair cross section of the community. Based on the  
6 recommendations it would also be medically inadvisable to do so.  
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8 3. As a result, the failure to grant a continuance of the trial date in this case would  
9 likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the  
10 ends of justice served by continuing the trial in this case outweighs the best interest  
11 of the public and the defendant to a speedy trial.

12 IT IS THEREFORE ORDERED that the Government's unopposed motion (Dkt. #153)  
13 is GRANTED. The trial date of June 15, 2020 is VACATED. The parties shall participate in  
14 a status conference on **July 24, 2020, at 9:00 a.m.** The purpose of the status conference will  
15 be discuss a date on which the trial can be scheduled and take place without any potential  
16 impact on the health of all participants or the community.

17 IT IS FURTHER ORDERED that the time between the date of the filing of the parties'  
18 joint motion and the status hearing of July 24, 2020, shall be excludable time pursuant to 18  
19 U.S.C. § 3161.  
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21 DATED this 11th day of May, 2020.

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24 The Honorable Richard A. Jones  
25 United States District Judge  
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